IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

CONTEMPT PETITION NO. 58 OF 2006

IN

ARBITRATION PETITION NO. 331 OF 2006

M/s. Himalaya Publishing House ... Petitioner

Versus

Prof. Mr. C.G.Kulkarni & Ors. ... Respondents

Ms. Akhila Kaushik for petitioner.

Mrs. Devrupa Dey for Respondents 1 & 2.

Mr. Shivraman Krishna for Respondent no.3.

CORAM: S.K.SHAH,J.

DATE : 17th November,2006

P.C.

1. Heard Counsel on both sides.

2. The contempt is alleged of the order dated 27.6.2006 whereby the Arbitration Petition was allowed and made absolute in terms of prayers (a) and (b). Prayer (a) was to restrain the Respondents from doing and carrying on any act or activity in violation of the terms of the agreement executed between the petitioner and the Respondent on 5th April, 1994. By prayer clause

(b), the Respondent was restrained from publishing any books, etc.

3. Respondents Nos. 1 and 2 and also Respondent No.3 have also filed affidavit, in short, stating that the Respondents Nos. 1 and 2 had entered into an agreement dated 5th July 2005 with one M/s. Sheth Prakashan Kendra. They had also handed over to the Respondent No.3 manuscript of of the book on or about 20th October, 2005 and Respondent NO.3 had completed the printing of 13,040 on 25.6.2006.

4. The learned Counsel for Respondent No.3 has made a statement that after the order was passed on 27.6.2006, they are not printing or publishing any books in violation of the order of the Court.

5. Under the circumstances, no contempt action is necessary. Therefore, the Contempt Petition stands disposed of.

(S.K.SHAH,J.)